

08/01/03
16698 U.S. PTO

PATENT
Customer Number 22,852
Attorney Docket No. 2481.1801-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

17958 U.S. PTO
10/631867
08/01/03

Prior Application Art Unit: 1626 Prior Application Examiner: Robert W. Ramsuer

SIR: This is a request for filing a

☐ Continuation ☒ Continuation-in-Part ☐ Divisional Application under 37 C.F.R. § 1.53(b) of pending prior Application No. 10/231,432 filed August 30, 2002, of Heiner GLOMBIK et al. for DIARYLCYCLO-ALKYL DERIVATIVES, PROCESSES FOR THEIR PREPARATION AND THEIR USE AS PHARMACEUTICALS.

1. ☒ Enclosed is a complete application (128 pages, including Title page and Abstract).
2. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125. The undersigned hereby verifies that no new matter is added in this substitute specification.
3. ☐ Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 122(b)(2)(B)(i).
4. ☐ Cancel Claims _____
5. ☐ A Preliminary Amendment is enclosed.
6. ☐ The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 5 above.

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Basic Application Filing Fee					\$750	\$ 750.00
	Number of Claims		Basic	Extra Claims		
Total Claims	35	-	20	15	x \$18	\$ 270.00
Independent Claims	6	-	3	3	x \$84	\$ 252.00
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+\$280	
Subtotal						\$1,272.00
Reduction by 1/2 if small entity						-
TOTAL APPLICATION FILING FEE						\$1,272.00

7. ☒ A check in the amount of **\$1,272.00** to cover the filing fee is enclosed.
8. ☒ The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
9. ☐ Amend the specification by inserting before the first line, the following new paragraph:

--This is a ☐ continuation ☐ division of application Serial No. _____, filed _____ incorporated herein by reference.
10. ☐ New acceptable drawings are enclosed.
11. ☐ The prior application is assigned of record to: Aventis Pharma Deutschland GmbH
12. ☒ Priority of Application Nos. 10142734.4 and 10223273.3, filed on August 31, 2001 and May 24, 2002, respectively, in Germany is claimed under 35 U.S.C. § 119. Certified copies

☐ is enclosed or ☒ are on file in the prior application.
13. ☐ Small entity status is appropriate and applies to this application.
14. ☐ The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT &

DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilly, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Roger D. Taylor, Reg. No. 28,992; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Thomas W. Banks, Reg. No. 32,719; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanh Sonu, Reg. No. 33,457; David S. Forman, Reg. No. 33,694; Vincent P. Kovalick, Reg. No. 32,867; James W. Edmondson, Reg. No. 33,871; Michael R. McGurk, Reg. No. 32,045; Joann M. Neth, Reg. No. 36,363; Gerson S. Panitch, Reg. No. 33,751; Cheri M. Taylor, Reg. No. 33,216; Charles E. Van Horn, Reg. No. 40,266; Linda A. Wadler, Reg. No. 33,218; Jeffrey A. Berkowitz, Reg. No. 36,743; Michael R. Kelly, Reg. No. 33,921; James B. Monroe, Reg. No. 33,971; Doris Johnson Hines, Reg. No. 34,629; Lori Ann Johnson, Reg. No. 34,498; R. Bruce Bower, Reg. No. 37,099; John Rissman, Reg. No. 33,764; Therese A. Hendricks, Reg. No. 30,389; Leslie I. Bookoff, Reg. No. 38,084; Michele C. Bosch, Reg. No. 40,524; Michael J. Flibbert, Reg. No. 33,234; Scott A. Herbst, Reg. No. 35,189; Leslie A. McDonell, Reg. No. 34,872; Thalia V. Warnement, Reg. No. 39,064; Ronald A. Bleeker, Reg. No. 27,773; Kathleen A. Daley, Reg. No. 36,116; C. Gregory Gramenopoulos, Reg. No. 36,532; Anthony M. Gutowski, Reg. No. 38,742; Yitai Hu, Reg. No. 40,653; Lionel M. Lavenue;

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15. ☐ The power appears in the original declaration of the prior application.
16. ☐ Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
17. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852.**
18. ☒ Recognize as associate attorney Carlos M. Tellez, Reg. No. 48, 638
19. ☐ Also enclosed is _____

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in parent Application No. 10/231,432, filed August 30, 2002, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: Carol P. Einaudi
Carol P. Einaudi
Reg. No. 32,220

Dated: August 1, 2003

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